

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC,)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**TENTH INTERIM AND FINAL APPLICATION OF FAEGRE BAKER DANIELS LLP
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES
AS COUNSEL FOR JAMES A. KNAUER, CHAPTER 11 TRUSTEE**

Faegre Baker Daniels LLP (“FBD”) hereby makes its tenth interim and final application (this “Application”) for the allowance and payment of its attorneys’ fees as counsel for James A. Knauer, the Chapter 11 trustee appointed in this case (the “Trustee”) and for reimbursement of out-of-pocket expenses advanced on behalf of the Trustee. This Application applies to all nine prior fee interim approvals and the fees and expenses incurred between August 1, 2016 through October 31, 2017 (“Current Compensation Period”). Detail of the fees and expenses for the Current Compensation Period is included with this Application on Exhibit A, attached. To control costs, detail of the fees and expenses for prior approved interim periods are available through the Court’s ECF system and filed as an attachment to the related fee application or can be obtained by emailing or calling Terry Hall at terry.hall@faegrebd.com, telephone 317-237-1230.

All contested disputes have been resolved or resolutions are pending before this Court and the Trustee continues to collect settlement payments for determining a final distribution to creditors. FBD will continue to provide certain limited services to the Trustee following this final Application to complete this Chapter 11 Case including seeking a final decree and closure of this Chapter 11 Case. Such fees and expenses incurred after this final Application shall be

considered for payment by the Trustee and paid from the assets of the estate without further Court review.

The detail of the fees and expenses approved by this Court in interim fee

In support of this Application, FBD states as follows:

1. Petitioning creditors commenced the above-captioned chapter 11 case (“Chapter 11 Case”) against Debtor on December 6, 2010 (“Petition Date”) by filing an involuntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (“Bankruptcy Code”). This Court entered its *Order For Relief In An Involuntary Case And Order To Complete Filing* [Docket No. 110] on December 28, 2010.

2. On December 27, 2010, the Court entered its *Order Approving The Appointment Of James A. Knauer As Chapter 11 Trustee* [Docket No. 102] (“Trustee Order”), approving the United States Trustee’s *Notice Of Appointment And Application for Order Approving Appointment of Trustee* [Docket No. 98] pursuant to 11 U.S.C. § 1104.

3. This Court, by order dated February 1, 2011 [Docket No. 248], approved the Trustee’s retention of FBD as the Trustee’s counsel.

4. On December 17, 2012, this Court by order (the “Confirmation Order”) [Docket No. 1644] confirmed the Trustee’s First Amended Chapter 11 Plan of Liquidation (the “Plan”). The Plan became effective on December 20, 2012 (the “Effective Date”) [Docket No. 1675]. This Application, covering the period February 1, 2011, through and including July 31, 2016, is filed pursuant to Article VI of the Plan and seeks final allowance of the interim fees and expenses approved by this Court on an interim basis for the time period February 1, 2011 through July 31, 2016 (the “Interim Compensation Period”); final allowance of the fees and expenses charged and incurred by FBD since its last application (the “Current Compensation”).

Period”) or that have not previously been included on an application through the Effective Date; and an order directing that all amounts approved by this Court and remaining unpaid or not reimbursed to FBD be paid by the Trustee.

Interim Compensation Period

5. On June 1, 2011, FBD filed its *First Interim Application Of Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 520] (the “First Application”), which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$634,614.50 and reimbursement of expenses in the amount of \$25,851.82. On June 29, 2011, the Court entered the *Order Granting First Interim Application Of Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 577] (“First Interim Compensation Order”). The First Interim Compensation Order authorized the Trustee to pay FBD a total of \$660,466.32, comprised of fees of \$634,614.50 and expenses of \$25,851.82 for the period of December 27, 2010 through and including April 30, 2011. FBD was paid \$660,166.32 on account of the fees and expenses approved by the First Interim Compensation Order, leaving a balance due of \$299.98.

6. On November 11, 2011, FBD filed its *Second Interim Application Of Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 820] (the “Second Application”), which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$599,975.00 and reimbursement of expenses in the amount of \$21,383.32. On December 19, 2011, the Court entered the *Order Granting Second Interim Application Of Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer,*

Chapter 11 Trustee [Docket No. 917] (“Second Interim Compensation Order”). The Second Interim Compensation Order authorized the Trustee to pay FBD a total of \$621,358.32, comprised of fees of \$599,975.00 and expenses of \$21,383.32 for the period of May 1, 2011 through and including August 31, 2011. FBD was paid \$621,358.32 on account of the fees and expenses approved by the Second Interim Compensation Order.

7. On November 26, 2012, FBD filed its *Amended Third Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Third Application”) [Docket No. 1562], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$2,592,916.50 and reimbursement of expenses in the amount of \$64,997.52. On December 20, 2012, the Court entered the *Order Granting Amended Third Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 1666] (“Third Interim Compensation Order”). The Third Interim Compensation Order authorized the Trustee to pay FBD a total of \$2,657,914.02, comprised of fees of \$2,592,916.50, expenses of \$64,997.52, plus \$299.98 outstanding from prior periods. FBD was paid \$2,139,625.70 on account of the fees and expenses approved by the Third Interim Compensation Order, leaving a balance due of \$521,588.30.

8. On May 17, 2013, FBD filed its *Fourth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Fourth Application”) [Docket No. 2173], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$1,271,982.00 and reimbursement of expenses in the amount of \$9,523.18. On September 10,

2013, the Court entered the *Order Granting Fourth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2343] (“Fourth Interim Compensation Order”). The Fourth Interim Compensation Order authorized the Trustee to pay FBD a total of \$1,281,505.18 comprised of fees of \$1,271,982.00 and expenses of \$9,523.18 for the period October 1, 2012 through and including March 31, 2013. Beginning with the Fourth Interim Compensation Order, FBD accepted Fifth Third Bank’s request to limit payment on allowed interim compensation of fees to 80% and allowed interim payment of expenses of 100% (“Holdback Agreement”). Pursuant to the Holdback Agreement, payment to FBD under the Fourth Interim Compensation Order was \$1,017,585.60 for fees and \$9,523.18 for expenses. FBD received a further payment of \$1,121,789.90, leaving a balance outstanding of \$426,911.88 plus \$254,396.40 in holdback from the Fourth Application.

9. On December 4, 2013, FBD filed its *Fifth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Fifth Application”) [Docket No. 2424], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$817,318.50 and reimbursement of expenses in the amount of \$13,246.00. On December 31, 2013, the Court entered the *Order Granting Fifth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2452] (“Fifth Interim Compensation Order”). The Fifth Interim Compensation Order authorized the Trustee to pay FBD a total of \$830,564.50, comprised of fees of \$817,318.50 and expenses of \$13,246.00 for the period April 1, 2013 through and including August 31, 2013. Pursuant to the Holdback Agreement, payment to FBD

under the Fifth Interim Compensation Order was \$653,854.80 for fees and \$13,246.00 for expenses. On December 31, 2013, FBD received a payment of \$872,802.32, leaving a balance outstanding of \$221,121.36 plus \$163,463.70 in holdback from the Fifth Application plus \$254,396.40 in holdback from the Fourth Application.

10. On July 23, 2014, FBD filed its *Sixth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Sixth Application”) [Docket No. 2611], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$1,287,951.06 and reimbursement of expenses in the amount of \$33,353.17. On August 25, 2014, the Court entered the *Order Granting Sixth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2634] (“Sixth Interim Compensation Order”). The Sixth Interim Compensation Order authorized the Trustee to pay FBD a total of \$1,321,304.23, comprised of fees of \$1,287,951.06 and expenses of \$33,353.17 for the period September 1, 2013 through and including May 31, 2014. Pursuant to the Holdback Agreement, payment to FBD under the Sixth Interim Compensation Order was authorized to be paid \$1,030,360.85 for fees and \$33,353.17 for expenses. On August 27, 2014, FBD received a payment of \$1,281,914.60, which amount included monies authorized to be paid in prior applications but not yet paid and not subject to the Holdback Agreement.

11. On November 13, 2014, FBD filed its *Seventh Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Seventh Application”) [Docket No. 2673], which is incorporated by reference herein, seeking approval and allowances of fees in the

amount of \$228,688.50 and reimbursement of expenses in the amount of \$5,585.06. On December 5, 2014, the Court entered the *Order Granting Seventh Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2688] (“Seventh Interim Compensation Order”). The Seventh Interim Compensation Order authorized the Trustee to pay FBD a total of \$234,273.56, comprised of fees of \$228,688.50 and expenses of \$5,585.06 for the period June 1, 2014 through and including September 30, 2014. Pursuant to the Holdback Agreement, payment to FBD under the Seventh Interim Compensation Order was authorized to be paid \$182,950.80 for fees and \$5,585.06 for expenses. On December 30, 2014, FBD received a payment of \$188,535.86.

12. On October 19, 2015, FBD filed its *Eighth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Eighth Application”) [Docket No. 2801], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$423,590.50 and reimbursement of expenses in the amount of \$6,146.01. On November 13, 2015, the Court entered the *Order Granting Eighth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2814] (“Eighth Interim Compensation Order”). The Eighth Interim Compensation Order authorized the Trustee to pay FBD a total of \$429,736.51, comprised of fees of \$423,590.50 and expenses of \$6,146.01 for the period October 1, 2014 through and including August 31, 2015. Pursuant to the Holdback Agreement, payment to FBD under the Eighth Interim Compensation Order was authorized to be paid \$338,872.40 for fees and \$6,146.01 for expenses. On December 9, 2015, FBD received a payment of \$345,018.41.

13. On September 28, 2016, FBD filed its *Ninth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* (the “Ninth Application”) [Docket No. 2941], which is incorporated by reference herein, seeking approval and allowances of fees in the amount of \$210,907.50 and reimbursement of expenses in the amount of \$6,850.77. On October 21, 2016, the Court entered the *Order Granting Ninth Interim Application Of Faegre Baker & Daniels LLP For Compensation And Reimbursement Of Expenses As Counsel For James A. Knauer, Chapter 11 Trustee* [Docket No. 2952] (“Ninth Interim Compensation Order”). The Ninth Interim Compensation Order authorized the Trustee to pay FBD a total of \$217,758.27, comprised of fees of \$210,907.50 and expenses of \$6,850.77 for the period September 1, 2015 through and including July 31, 2016. Pursuant to the Holdback Agreement, payment to FBD under the Ninth Interim Compensation Order was authorized to be paid \$168,726.00 for fees and \$6,850.77 for expenses. On October 31, 2016, FBD received a payment of \$175,576.77.

Current Compensation Period

14. In the course of its representation of the Trustee for the Current Compensation Period, FBD has performed a variety of services, all of which are described in detail in the billing statements attached as Exhibit A¹. The services performed by FBD for and on behalf of the Trustee include, but are not limited to the following categories:

- a. Asset Disposition [B002]. FBD assisted the Trustee with strategy and analysis of assets that were seized under forfeiture laws, settlement documentation and calculation of distribution of the settlement amounts to allowed claims.
- b. Case Administration [B004]. This category consists primarily of work discharged by paralegals, and includes the accumulation, organization, retention and distribution of information for reporting purposes, the

¹ From time to time, FBD adjusts its billing rates for its professionals. The billing rates for professionals were increased in January 2017. The billing rates applied in January 2017 reflect that increase.

preparation of pleadings and notices, preparation for hearings, as well as for parties in interest, assembly of, filing, and maintenance of files concerning the pleadings filed in the case, review and calendaring of orders and notices, and communications with the Court regarding the entry and distribution of same. At times this category also includes work discharged by attorneys interacting with the Court and the Clerk's office to ensure that matters are handled efficiently and within the applicable rules.

- c. Claims Administration And Objections [B005]. FBD assisted and advised the Trustee with respect to the status of distribution/claims from seized funds.
- d. Fee/Employment Applications [B007]. FBD assisted the Trustee with the preparation of fee applications and responded to inquiries to same.
- e. Litigation [B010]. FBD assisted the Trustee with matters relating to various interpleader actions, adversary proceedings, drafting and review of discovery, settlements made and collection of outstanding accounts, including legal research of jurisdictional issues, fact gathering and strategy discussions, including seeking summary judgments where appropriate.
- f. Plan and Disclosure Statement [B012]. FBD assisted the Trustee in post-plan confirmation issues, including analyzing collection estimates, distribution and revised initial estimates based on settlements, collections, claim waivers and status of litigation.

15. FBD reviewed its detailed summary of time and has attempted to eliminate double billing for conference time between FBD's timekeepers, except where the participation of the timekeepers with different expertise benefits the estate by addressing multiple issues involved in a single matter. The designation of "NC" or "\$0.00" after a description of services means that no time has been charged for those services. Where possible and efficient, FBD encourages the use of lesser billing rate attorneys to perform labor intensive tasks, with oversight and review by more experienced attorneys.

16. Exhibit A provides the detail of the time and hourly billing rate for each attorney, law clerk or paralegal of FBD who has performed services in this case for the Current Compensation Period.

17. A summary of the fees requested by FBD for each attorney, law clerk or paralegal and the number of hours worked for each individual, the billing rate requested and the total fees claimed for the Current Compensation Period is set forth below, segregated into separate matters for accounting and billing purposes:]

MATTER 1: (“Eastern Livestock Co., LLC Matter”)

Timekeeper	Hours	Period	Bill Rate	Value
T.E. Hall	22.0	Aug 2016	\$490.00	\$10,780.00
	39.50	Sept 2016	\$490.00	\$19,355.00
	29.8	Oct 2016	\$490.00	\$14,602.00
	25.10	Nov 2016	\$490.00	\$12,446.00
	5.2	Dec 2016	\$490.00	\$2,548.00
	15.7	Jan 2017	\$520.00	\$8,164.00
	9.7	Feb 2017	\$520.00	\$5,044.00
	6.3	Mar 2017	\$520.00	\$3,276.00
	3.9	Apr 2017	\$520.00	\$2,028.00
	.3	May 2017	\$520.00	\$156.00
	3.4	June 2017	\$520.00	\$1,768.00
	4.1	July 2017	\$520.00	\$2,132.00
	3.5	Aug 2017	\$520.00	\$1,820.00
	.0	Sept 2017	\$520.00	\$0.00
	18.1	Oct 2017	\$520.00	\$9,412.00
Dustin R. DeNeal	.4	Sept 2016	\$415.00	\$166.00
	.7	Oct 2016	\$415.00	\$290.50
	.3	Feb 2017	\$430.00	\$129.00
	.3	June 2017	\$430.00	\$129.00
S.B. Herendeen	4.10	Aug 2016	\$265.00	\$1,086.50
	10.10	Sept 2016	\$265.00	\$2,676.50
	4.20	Oct 2016	\$265.00	\$1,113.00
	1.3	Nov 2016	\$265.00	\$344.50
	.5	Dec 2016	\$265.00	\$132.50
	.5	Jan 2017	\$275.00	\$137.50
	.5	Feb 2017	\$275.00	\$137.50
	1.5	Mar 2017	\$275.00	\$412.50
	1.2	Apr 2017	\$275.00	\$330.00
	.4	May 2017	\$275.00	\$110.00
	3.2	June 2017	\$275.00	\$880.00
	2.2	Aug 2017	\$275.00	\$605.00
	1.3	Sept 2017	\$275.00	\$357.50
Lee R. Little	.1	Oct 2016	\$190.00	\$19.00
TOTAL	219.8			\$102,587.50

MATTER 3: (“Litigation Matter”)

Timekeeper	Hours	Period	Bill Rate	Value
K.M. Toner	4.4	Aug 2016	\$585.00	\$2,574.00
	13.7	Sept 2016	\$585.00	\$8,014.50
	2.2	Nov 2016	\$585.00	\$1,287.00
	.2	Dec 2016	\$585.00	\$117.00
	.2	Jan 2017	\$595.00	\$119.00
	.8	Mar 2017	\$595.00	\$476.00
	2.1	Apr 2017	\$595.00	\$1,249.50
	.2	May 2017	\$595.00	\$119.00
	.7	June 2017	\$595.00	\$416.50
	.1	Sept 2017	\$595.00	\$59.50
H.A. Mappes	.5	Jan 2017	\$495.00	\$247.50
	1.1	Mar 2017	\$495.00	\$544.50
TOTAL		26.2		\$15,224.00

18. FBD advanced the sum of \$24.21 for the Eastern Livestock Co., LLC Matter during the Current Compensation Period for out-of-pocket expenses incurred in connection with this case on behalf of the Trustee. A summary of the out-of-pocket expenses incurred by FBD is set forth in Exhibit A.

19. FBD established certain task codes that cause related time to be grouped together to facilitate the review of the firm’s requested fees by the Court, the United States Trustee, and creditors. Set forth below is a summary of the aggregate billings under the established task codes during the Current Compensation Period.

MATTER 1: Eastern Livestock Co., LLC Matter

Task Code	Task Code Description	Hours		Value
B001	Asset Analysis and Recovery	.3	Oct 2016	\$124.50
		.3	Feb 2017	\$129.00
		1.8	Oct 2017	\$936.00
B002	Asset Disposition	1.7	Aug 2016	\$833.00
B004	Case Administration	21.40	Aug 2016	\$9,788.50
		42.20	Sept 2016	\$19,665.50
		26.6	Oct 2016	\$12,059.00
		25.6	Nov 2016	\$12,202.50

		5.7	Dec 2016	\$2,680.50
		10.20	Jan 2017	\$5,181.50
		9.4	Feb 2017	\$4,765.50
		7.8	Mar 2017	\$3,688.50
		5.10	April 2017	\$2,358.00
		.7	May 2017	\$266.00
		3.5	June 2017	\$1,795.50
		4.1	July 2017	\$2,132.00
		5.7	Aug 2017	\$2,425.00
		.1	Sept 2017	\$27.50
		12.1	Oct 2017	\$6,292.00
B005	Claims Administration and Objections	.4	Sept 2016	\$166.00
		.6	Oct 2016	\$264.00
		.8	Feb 2017	\$416.00
B007	Fee/Employment Applications	2.6	Aug 2016	\$1,049.00
		3.8	Sept 2016	\$1,007.00
		1.2	Nov 2016	\$588.00
		.6	Jan 2017	\$312.00
		3.4	June 2017	\$981.50
		4.2	Oct 2017	\$2,184.00
B010	Litigation	1.8	Sept 2016	\$477.00
		1.2	Oct 2016	\$588.00
B012	Plan and Disclosure Statement	.4	Aug 2016	\$196.00
		1.8	Sept 2016	\$882.00
		6.1	Oct 2016	\$2,989.00
		5.4	Jan 2017	\$2,808.00
		1.2	Sept 2017	\$330.00
TOTAL		219.8		\$102,587.50

MATTER 3: Litigation Matter

Task Code	Task Code Description	Hours		Value
B004	Case Administration	.1	Jan 2017	\$59.50
B010	Litigation	4.4	Aug 2016	\$2,574.00
		13.7	Oct 2016	\$8,014.50
		2.2	Nov 2016	\$1,287.00
		.2	Dec 2016	\$117.00
		.6	Jan 2017	\$307.00
		1.9	Mar 2017	\$1,020.50
		2.1	April 2017	\$1,249.50
		.2	May 2017	\$119.00
		.7	Aug 2017	\$416.50
		.1	Sept 2017	\$59.50
TOTAL		26.2		\$15,224.00

20. FBD requests final allowance of compensation for attorneys' fees and reimbursement of expenses for the Interim Compensation Period as follows:

Application	Attorneys' Fees	Expenses
First Application	\$634,614.50	\$25,851.82
Second Application	\$599,975.00	\$21,383.32
Third Application	\$2,592,916.50	\$64,997.52
Fourth Application	\$1,271,982.00	\$9,523.18
Fifth Application	\$817,318.50	\$13,246.00
Sixth Application	\$1,287,951.06	\$33,353.17
Seventh Application	\$228,688.50	\$5,585.06
Eighth Application	\$423,590.50	\$6,146.01
Ninth Application	\$210,907.50	\$6,850.77
	\$8,067,944.06	\$186,936.85

21. FBD requests final allowance of compensation for attorneys' fees and reimbursement of expenses for the Current Compensation Period as follows:

Application	Attorneys' Fees	Expenses
Application	\$117,811.50	\$24.21

22. Upon approval of this Application of FBD's fees and expenses on a final basis, FBD requests that the Court authorize and order the Trustee to pay all approved amounts.

23. Other than the payments described above, no payments have been made or promised to FBD for services rendered or to be rendered in any capacity in connection with this case for the services provided to the Trustee and described in this Application.

24. No agreement or understanding exists between FBD and any other person or entity for the sharing of compensation received for services rendered in connection with this case.

25. All services rendered and all expenses incurred for which compensation or reimbursement is sought have been rendered or incurred exclusively on behalf of the Trustee and represent necessary and proper legal assistance in the administration of this chapter 11 case.

WHEREFORE, FBD requests that the Court enter an order:

- a) granting final allowance and award of fees of \$848,092.69 for compensation of professional services to the Trustee during Interim Compensation Period, which compensation was previously awarded to FBD on an interim basis pursuant to orders of this Court;
- b) granting final allowance and award of fees and out-of-pocket expenses incurred for the Current Compensation Period in the amounts of \$117,811.50 and \$24.21 respectively;
- c) authorizing and directing the Trustee to pay the approved fees and expenses of FBD to the extent the Trustee has not paid; and
- d) granting to FBD all other proper relief.

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/ Terry E. Hall

Counsel for James A. Knauer, Chapter 11 Trustee

Terry E. Hall (#22041-49)
Kevin M. Toner (#11343-49)
Harmony Mappes(#27237-49)
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1782
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
terry.hall@faegrebd.com
kevin.toner@faegrebd.com
harmony.mappes@faegrebd.com

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2017, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt
davidabt@mwt.net

John D Dale, Jr.
Johndaleatty@msn.com

John W. Ames
james@bgdlegal.com

Robert A. Bell
rabell@vorys.com

C. R. Bowles, Jr
cbowles@ bgdlegal.com

David W. Brangers
dbrangers@lawyer.com

Steven A. Brehm
sbrehm@ bgdlegal.com

Kent A Britt
kabritt@vorys.com

Kayla D. Britton
kayla.britton@faegrebd.com

Joe Lee Brown
Joe.Brown@Hardincounty.biz

Lisa Koch Bryant
courtmail@fbhlaw.net

John R. Burns, III
john.burns@faegrebd.com

John R. Carr, III
jrciii@acs-law.com

Deborah Caruso
dcaruso@rubin-levin.net

Ben T. Caughey
ben.caughey@icemiller.com

Bret S. Clement
bclement@acs-law.com

Joshua Elliott Clubb
joshclubb@gmail.com

Jason W. Cottrell
jwc@stuartlaw.com

Kirk Crutcher
kcrutcher@mcs-law.com

Jack S. Dawson
jdawson@millerdollarhide.com

Dustin R. DeNeal
dustin.deneal@faegrebd.com

David Alan Domina
dad@dominalaw.com

Daniel J. Donnellon
ddonnellon@ficlaw.com

Trevor L. Earl
tearl@rwsvlaw.com

Jeffrey R. Erler
jerler@ghjhlaw.com

William K. Flynn
wkflynn@strausstroy.com

Robert Hughes Foree
robertforee@bellsouth.net

Sandra D. Freeburger
sfreeburger@dsf-atty.com

Melissa S. Giberson
msgiberson@vorys.com

Thomas P. Glass
tpglass@strausstroy.com

Patrick B. Griffin
patrick.griffin@kutakrock.com

Terry E. Hall
terry.hall@faegrebd.com

Paul M. Hoffman
paul.hoffmann@stinsonleonard.com

John David Hoover
jdhoover@hooverhull.com

John Huffaker
john.huffaker@sprouselaw.com

Jay Jaffe
jay.jaffe@faegrebd.com

James Bryan Johnston
bjtexas59@hotmail.com

Todd J. Johnston
tjohnston@mcjllp.com

Jill Zengler Julian
Jill.Julian@usdoj.gov

Andrew T. Kight
akight@taftlaw.com

Edward M King
tking@fbtlaw.com

James A. Knauer
jak@kgrlaw.com

Erick P. Knoblock
eknoblock@daleeke.com

Theodore A. Konstantinopoulos
ndohbky@jbandr.com

Randall D. LaTour
rdlatour@vorys.com

David A. Laird
david.laird@moyewhite.com

David L. LeBas
dlebas@namanhowell.com

Martha R. Lehman
mlehman@kdlegal.com

Scott R. Leisz
sleisz@bgdlegal.com

Kim Martin Lewis
kim.lewis@dinslaw.com

James B. Lind
jblind@vorys.com

Karen L. Lobring
lobring@msn.com

John Hunt Lovell
john@lovell-law.net

Harmony A. Mappes
harmony.mappes@faegrebd.com

John Frederick Massouh
john.massouh@sprouselaw.com

Michael W. McClain
mmccclain@mcclaindeweese.com

James Edwin McGhee
mcghee@derbycitylaw.com

Brian H. Meldrum
bmeldrum@stites.com

William Robert Meyer, II
rmeyer@stites.com

Kevin J. Mitchell
kevin.mitchell@faegrebd.com

Terrill K. Moffett
kendalcantrell@moffettlaw.com

John O'Brien
jobrien@swlaw.com

Michael Wayne Oyer
moyer@rwsvlaw.com

Wendy W. Ponader
wendy.ponader@faegrebd.com

Eric C. Redman
ksmith@redmanludwig.com

David Cooper Robertson
crobertson@stites.com

Joseph H. Rogers
jrogers@millerdollarhide.com

Thomas C. Scherer
tscherer@bgdlegal.com

Sarah Elizabeth Sharp
sarah.sharp@faegrebd.com

William E. Smith, III
wsmith@k-glaw.com

Andrew D. Stosberg
astosberg@lloydmc.com

Kevin M. Toner
kevin.toner@faegrebd.com

U.S. Trustee
ustregion10.in.ecf@usdoj.gov

Jennifer Watt
jwatt@kgirlaw.com

Michael Benton Willey
michael.willey@ag.tn.gov

Harley K Means
hkm@kgirlaw.com

Allen Morris
amorris@stites.com

Matthew J. Ochs
kim.maynes@moyewhite.com

Ross A. Plourde
ross.plourde@mcafeetaft.com

Timothy T. Pridmore
tpridmore@mcjllp.com

Eric W. Richardson
ewrichardson@vorys.com

Mark A. Robinson
mrobinson@vhlaw.com

Steven Eric Runyan
ser@kgirlaw.com

Stephen E. Schilling
seschilling@strausstroy.com

Suzanne M Shehan
suzanne.shehan@kutakrock.com

Amanda Dalton Stafford
ads@kgirlaw.com

Matthew R. Strzynski
indyattorney@hotmail.com

Christopher M. Trapp
ctrapp@rubin-levin.net

Andrew James Vandiver
avandiver@aswdlaw.com

Ronald J. Moore
Ronald.Moore@usdoj.gov

Jason P. Wischmeyer
jason@wischmeyerlaw.com

Walter Scott Newbern
wsnewbern@msn.com

Jessica Lynn Olsheski
jessica.olsheski@justice-law.net

Brian Robert Pollock
bpollock@stites.com

Anthony G. Raluy
traluy@fbhlaw.net

Joe T. Roberts
jratty@windstream.net

Jeremy S. Rogers
Jeremy.Rogers@dinslaw.com

Niccole R. Sadowski
nsadowski@thbkllaw.com

Ivana B. Shallcross
ishallcross@bgdlegal.com

James E. Smith, Jr.
jsmith@smithakins.com

Joshua N. Stine
kabritt@vorys.com

Meredith R. Theisen
mtheisen@rubin-levin.net

Chrisandrea L. Turner
clturner@stites.com

Andrea L. Wasson
andrea@wassonthornhill.com

Sean T. White
swhite@hooverhull.com

James T. Young
james@rubin-levin.net

I further certify that on November 6, 2017, a copy of the foregoing pleading was served via electronic mail transmission on the following:

Thomas Richard Alexander, II
tra@rgba-law.com

/s/ Terry E. Hall